

ORDINANCE NO. 2020-26

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, FOLLOWING STATUTORY AUTHORIZATION, MAKING FINDINGS OF FACT, STATING PURPOSES AND METHODS OF REDUCING FLOOD LOSSES; CONTAINING DEFINITIONS; PROVIDING FOR THE IDENTIFICATION OF FLOOD-PRONE AREAS, COMPLIANCE, ABROGATION, INTERPRETATION, WARNING AND DISCLAIMER OF LIABILITY; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT; PROVIDING FOR A PENALTY CLAUSE; REPEALING ORDINANCE NO. 2016-06, THE FORMER FLOOD DAMAGE PREVENTION ORDINANCE; PROVIDING A SAVINGS CLAUSE, SEVERANCE CLAUSE, AND EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO FLOOD DAMAGE PREVENTION.

WHEREAS, certain sections of the City of Iowa Colony, Texas (the "City"), have been designated as flood way and flood plain areas; and

WHEREAS, real property could be subject to possible damage from periodic flooding; and

WHEREAS, relief is available in the form of flood insurance, as authorized by the National Flood Insurance Act of 1968 as amended; and

WHEREAS, it is the intent of the City Council (the "Council") to comply with land use and management criteria regulations as required in said Act; and

WHEREAS, it is also the intent of the Council to recognize and duly evaluate flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards; and

WHEREAS, under the laws of the State of Texas, authority is conferred upon the City to establish and amend land use laws and management criteria by the enactment of a flood prevention ordinance; and

WHEREAS, Ordinance No. 87-1, Ordinance of the City Following Statutory Authorization, Making Findings of Fact, Stating Purposes and Methods of Reducing Flood Losses; Containing Definitions; Providing for the Identification of Flood-Prone Areas, Compliance, Abrogation, Interpretation, Warning and Disclaimer of Liability; Providing for Administration and Enforcement; Providing for a Penalty Clause; Providing for the Repeal of all Ordinances in Conflict Herewith; Providing an Effective Date and Containing Other Provisions Relating to Flood Damage Prevention (the "1987 Ordinance"), effective March 23, 1987, established land use laws and management criteria; and

WHEREAS, Ordinance No. 2005-4, Amended and Restated Ordinance of the City Following Statutory Authorization, Making Findings of Fact, Stating Purposes and Methods of Reducing Flood Losses; Containing Definitions; Providing for the Identification of Flood-Prone Areas, Compliance, Abrogation, Interpretation, Warning and Disclaimer of Liability; Providing for Administration and Enforcement; Providing for a Penalty Clause; Providing for the Repeal of all Ordinances in Conflict Herewith; Providing an Effective Date and Containing Other Provisions Relating to Flood Damage Prevention (the "2005 Ordinance"), effective October 17, 2005, amended and reestablished land use laws and management criteria; and

WHEREAS, Ordinances Nos. 2009-14 and 2016-06 further amended and restated the Flood Damage Prevention Ordinance of the City; and

WHEREAS, the Council has reviewed the Flood Damage Prevention Ordinance; and

WHEREAS, the Council deems it appropriate to update the Flood Damage Prevention Ordinance to include current land use laws, management criteria regulations, FEMA flood regulations, Flood Insurance Rate Maps, and Flood Insurance Studies.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA
COLONY, TEXAS:

FLOOD DAMAGE PREVENTION ORDINANCE
OUTLINE

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ARTICLE I

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Texas has, through Chapter 16, Subchapter I, Texas Water Code, as amended, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Council does ordain as follows:

SECTION B. FINDINGS OF FACT

(1) The Areas of Special Flood Hazard of the City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for Flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These Flood losses are created by the cumulative effect of obstructions in Floodplains which cause an increase in Flood heights and velocities, and by occupancy of Flood hazard areas by uses vulnerable to Floods and hazardous other lands because they are inadequately elevated, Flood Proofed or otherwise protected from Flood damage.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to Flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly Flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with Flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in Floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of Flood Prone Areas in such a manner as to minimize future Flood blight areas; and
- (7) Insure that potential buyers are notified that property is in a Flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this Ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of Flood, or cause excessive increases in Flood heights or velocities;
- (2) Require that uses vulnerable to Floods, including facilities which serve such uses, be protected against Flood damage at the time of initial construction;
- (3) Control the alteration of natural Floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of Flood waters;
- (4) Control filling, grading, dredging and other development which may increase Flood damage; and
- (5) prevent or regulate the construction of Flood barriers which will unnaturally divert Flood waters or which may increase Flood hazards to other lands.

ARTICLE 2

DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

ALLUVIAL FAN FLOODING B means Flooding occurring on the surface of an Alluvial Fan or similar landform which originates at the Apex and is characterized by high-velocity flows; active processes or erosion, sediment transport and deposition; and unpredictable flow paths.

APEX B means a point on an Alluvial Fan or similar landform below which the flow path of the major stream that formed the Alluvial Fan becomes unpredictable and Alluvial Fan Flooding can occur.

APPEAL - means a request for a review of the Floodplain Administrator's interpretation of any provision of this Ordinance or a request for a Variance.

APPURTENANT STRUCTURE B means a Structure which is on the same parcel of property as the principal Structure to be insured and the use of which is incidental to the use of the principal Structure.

AREA OF FUTURE CONDITIONS FLOOD HAZARD B means the land area that would be inundated by the one percent (1%) annual chance (100 year) Flood based upon future conditions hydrology.

AREA OF SHALLOW FLOODING - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map ("FIRM") with a one percent (1%) chance or greater annual chance of Flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of Flooding is unpredictable and where velocity flow may be evident. Such Flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the Floodplain within a community subject to a one percent (1%) or greater chance of Flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map ("FHBM"). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE OR V.

BASE FLOOD - means the Flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASEMENT B means any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALLS B means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

CRITICAL FEATURE - means an integral and readily identifiable part of a Flood Protection System, without which the Flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any manmade change in improved and unimproved real estate, including but not limited to buildings or other Structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING - means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AII, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a Flood of up to the magnitude of the Base Flood. In the case of Zones A1-30, AE, A, A99, AO, AII, B, C, X, and D, Elevated Building also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of Flood waters. In the case of Zones V1-30, VE, or V, Elevated Building also includes a building otherwise meeting the definition of Elevated Building, even though the lower area is enclosed by means of Breakaway Walls if the Breakaway Walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program ("NFIP") regulations.

EXISTING CONSTRUCTION - means for the purposes of determining rates, Structures for which the Start of Construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. Existing Construction may also be referred to as Existing Structures.

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters; or
- (2) the unusual and rapid accumulation or runoff of surface water from any source.

FLOOD INSURANCE RATE MAP ("FIRM") - means an official map of a community, on which the Federal Emergency Management Agency ("FEMA") has delineated both the Areas of Special Flood Hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY ("FIS") - is the official report provided by FEMA. The report contains Flood profiles, water surface elevation of the Base Flood, as well as the Flood Boundary-Floodway Map ("FBFM").

FLOOD PLAIN OR FLOOD PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of Flooding).

FLOOD PLAIN MANAGEMENT B means the operation of an overall program of corrective and Flood damage, including, but not limited to, emergency preparedness plans, Flood control works and Flood Management Regulations.

FLOOD PLAIN MANAGEMENT REGULATIONS B means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a Floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State and local regulations in any combination thereof, which provides standards for the purpose of Flood damage prevention and reduction.

FLOOD PROOFING B means any combination of structural and non-structural additions, changes, or adjustments to Structures which reduce or eliminate Flood damage to real estate or improved real property, water and sanitary sewer facilities, Structures and their contents.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify Flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated Flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized Flood modifying works are those constructed in conformance with sound engineering standards.

FLOODWAY (REGULATORY FLOODWAY) - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HABITABLE FLOOR - means any floor usable for the following purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a Habitable Floor.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a Structure.

HISTORIC STRUCTURE B means any Structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district.
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of Interior; or
 - (b) Directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a manmade Structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary Flooding.

LEVEE SYSTEM - means a Flood Protection System which consists of a levee, or levees, and associated Structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the Lowest Floor of the lowest enclosed area (including Basement). An unfinished or Flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a Basement area is not considered a building's Lowest Floor; provided that such enclosure is not built so as to render the Structure in violation of the applicable non-elevation design requirement of Section 60.3 of the NFIP regulations.

MANUFACTURED HOME - means a Structure transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For insurance purposes the term Manufactured Home does not include a Recreational Vehicle.

MANUFACTURED HOME PARK OR SUBDIVISION B means a parcel (or contiguous parcels) of land divided into two (2) or more Manufactured Home lots for rent or for sale.

MEAN SEA LEVEL - means, for purposes of the NFIP the National Geodetic Vertical Datum ("NGVD") of 1929 or other datum, to which Base Flood elevations shown on a community's FIRM are referenced.

NEW CONSTRUCTION - means, for the purposed of determined insurance rates, structures for which the "Start of Construction" commenced on or after the effective date of an initial firm or after December 31, 1974, whichever is later and includes any subsequent improvements to such structures. For Floodplain Management purposes, Structures for which the Start of Construction commenced on or after the effective date of a Floodplain Management Regulation adopted by a community.

NEW MANUFACTURED HOME PARK OR SUBDIVISION B means a Manufactured Home Park or Subdivision for which the construction of facilities for servicing the lots on which the Manufactured Homes are to affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of Floodplain Management Regulations adopted by a community.

RECREATIONAL VEHICLE B means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use.

RIVERINE - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA B see AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION - (for other than New Construction or Substantial Improvements under the Coastal Barrier Resources Act [Pub. L. 97-348]), includes Substantial Improvement and means the date the building permit was issued, provided the actual Start of Construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a Structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for Basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main Structure. For a Substantial Improvement, the actual Start of Construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - means a walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a Manufactured Home.

SUBSTANTIAL DAMAGE B means damage of any origin sustained by a Structure whereby the cost of restoring the Structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the Structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a Structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the Structure before Start of Construction of the improvement. This term includes Structures which have incurred Substantial Damage, regardless of the actual repair work performed.

The term does not, however, include either: (i) any project for improvement of a Structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code of enforcement office and which are the minimum necessary to assure safe living conditions, or (ii) any alteration of a Historic Structure provided that the alteration will not preclude the Structure's continued designation as a Historic Structure.

VARIANCE - is a grant of relief by a community from the terms of a Floodplain Management Regulation (For full requirements see Section 60.6 of the NFIP regulations.)

VIOLATION - means the failure of a Structure or other development to be fully compliant with the community's Floodplain Management Regulations. A Structure or other Development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3 (b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the NGVD of 1929 (or other datum, where specified), of Floods of various magnitudes and frequencies in the Flood plains of coastal or Riverine areas.

ARTICLE 3 GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

This Ordinance shall apply to all Areas of Special Flood Hazard within the jurisdiction of the City.

SECTION B. BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD

The Areas of Special Flood Hazard identified by FEMA in a scientific and engineering report entitled, "The Flood Insurance Study for the City of Iowa Colony," dated May 17, 1982, with accompanying FIRMs, Flood Hazard Boundary Maps, and Flood Boundary and Floodway Maps, and any past and future revisions thereto are hereby adopted by reference and declared to be a part of this Ordinance. The revisions hereby adopted include, but are not limited to, the revised FIRM and Flood Insurance Study ("FIS") described in the letter dated June 30, 2020, from FEMA to the City of Iowa Colony, and in the Final Summary of Map Actions attached thereto, both of which are attached hereto and incorporated herein in full. Those revisions shall take effect within the jurisdiction of the City of Iowa Colony immediately upon the passage of this ordinance.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development permit shall be required to ensure conformance with the provisions of this Ordinance.

SECTION D. COMPLIANCE

No Structure or land shall hereafter be located, altered, or have its use changed without a Development Permit hereunder and full compliance with the terms of this Ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this Ordinance, all provisions shall be; (i) considered as minimum requirements; (ii) liberally construed in favor of the governing body; and (iii) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OR LIABILITY

The degree of Flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater Floods can and will occur and Flood heights may be increased by manmade or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazards or uses permitted within such areas will be free from Flooding or Flood damages. This Ordinance shall not create liability on the part of the community or any official or employee thereof for any Flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

ARTICLE 4

ADMINISTRATION

SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The City Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Ordinance and other appropriate sections of 44 C.F.R. (NFIP regulations) pertaining to Floodplain Management.

SECTION B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this Ordinance.

(2) Review permit application to determine whether proposed building site project, including the placement of Manufactured Homes, will be reasonably safe from Flooding.

(3) Review, approve or deny all applications for Development permits required by adoption of this Ordinance.

(4) Review permits for proposed Development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the Areas of Special Flood Hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in Riverine situations, adjacent communities and the state coordinating agency which is Texas Commission on Environmental Quality (the "Commission") prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA.

(7) Assure that the Flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When Base Flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any Base Flood elevation data and Floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

(9) When a regulatory Floodway has not been designated, the Floodplain Administrator must require that no New Construction, Substantial Improvements, or other Development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed Development, when combined with all other existing and anticipated Development, will not increase the water surface elevation of the Base Flood more than one (1) foot at any point within the community.

(10) Under the provisions of 44 C.F.R. Chapter 1, Section 65.12, of the NFIP regulations, a community may approve certain Development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the Base Flood by more than one (1) foot, provided that the community first completes all of the provisions required by Section 65.12.

SECTION C. PERMIT PROCEDURES

(1) Application for a Development permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of Manufactured Homes, and the location of the foregoing in relation to Areas of Special Flood Hazard. Additionally, the following information is required:

- a. Elevation (in relation to Mean Sea Level), of the Lowest Floor (including Basement) of all new and substantially improved Structures;
- b. Elevation in relation to Mean Sea Level to which any nonresidential Structure shall be Flood Proofed;
- c. A certificate from a registered professional engineer or architect that the nonresidential Flood Proofed Structure shall meet the Flood Proofing criteria of Article 5, Section (B)(3);
- d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed Development; and
- e. Maintain a record of all such information in accordance with Article 4, Section (B)(1).

(2) Approval or denial of a Development permit by the Floodplain Administrator shall be based on all of the provisions of this Ordinance and the following relevant factors:

- a. The danger to life and property due to Flooding or erosion damage;
- b. The susceptibility of the proposed facility and its contents to Flood damage and the effect of such damage on the individual owner;
- c. The danger that materials may be swept onto other lands to the injury of others;
- d. The compatibility of the proposed use with existing and anticipated Development;
- e. The safety of access to the property in times of Flood for ordinary and emergency vehicles;
- f. The costs of providing governmental services during and after Flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- g. The expected heights, velocity, duration, rate of rise and sediment transport of the Flood waters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;

- i. The availability of alternative locations, not subject to Flooding or erosion damage, for the proposed use; and
- j. The relationship of the proposed use to the comprehensive plan for that area.

SECTION D. VARIANCE PROCEDURES

(1) The Council shall hear and render judgment on requests for Variances from the requirements of this Ordinance.

(2) The Council shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Ordinance.

(3) Any person or persons aggrieved by the decision of the Council may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report Variances to FEMA upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of Structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.

(6) Variances may be issued for New Construction and Substantial Improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing Structures constructed below the Base Flood level, providing the relevant factors in Section C(2) of this Article have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the Variance increases.

(7) Upon consideration of the factors noted above and the intent of this Ordinance, the Council may attach such conditions to the granting of Variances as it deems necessary to further the purpose and objectives of this Ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated Floodway if any increase in Flood levels during the Base Flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the Structure's continued designation as a Historic Structure and the Variance is the minimum necessary to preserve the historic character and design of the Structure.

(10) Prerequisites for granting Variances:

- a. Variances shall only be issued upon a determination that the Variance is the minimum necessary, considering the Flood hazard, to afford relief.
- b. Variances shall only be issued upon (i) showing a good and sufficient cause; (ii) a determination that failure to grant the Variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a Variance will not result in increased Flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- c. Any application to whom a Variance is granted shall be given written notice that the Structure will be permitted to be built with the Lowest Floor elevation below the Base Flood elevation, and that the cost of Flood insurance will be commensurate with the increased risk resulting from the reduced Lowest Floor elevation.

(11) Variances may be issued by a community for New Construction and Substantial Improvements and for other Development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D(1)-9 are met; and (ii) the Structure or other Development is protected by methods that minimize Flood damages during the Base Flood and create no additional threats to public safety.

SECTION E. VIOLATION AND PENALTY

(1) Any person, firm or corporation who shall violate any of the provisions of this Ordinance or fail to comply therewith or who shall violate or fail to comply with any order or regulations made thereunder, or who shall build in violation of any detailed statement of specification of plans submitted and approved thereunder, or any certificate or permit issued thereunder, shall, for each and every violation and noncompliance respectively be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$25.00 nor more than \$200.00, and each and every day that such violation or noncompliance shall exist shall be deemed a separate offense.

(2) But in case any person, firm or corporation violates any of the provisions of this Ordinance or fails to comply therewith, the City, in addition to imposing the penalties above provided, may institute any appropriate action or proceedings in court to prevent, restrain, correct, or abate or to prevent any illegal act, conduct, business or use in or about any land, and the definition of any violation of the terms of this Ordinance as a misdemeanor, shall not preclude the City from invoking the civil remedies given it by law in such cases, but same shall be cumulative of and in addition to the penalties prescribed for such violation.

ARTICLE 5

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all Areas of Special Flood Hazards the following provisions are required for all New Construction and Substantial Improvements:

- (1) All New Construction or Substantial Improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All New Construction or Substantial Improvements shall be constructed by methods and practices that minimize Flood damage;
- (3) All New Construction or Substantial Improvements shall be constructed with materials resistant to Flood damage;
- (4) All New Construction or Substantial Improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of Flooding.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of Flood waters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of Flood waters into the system and discharge from the systems into Flood waters; and
- (7) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during Flooding.

SECTION B. SPECIFIC STANDARDS

In all Areas of Special Flood Hazard where Base Flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B(8), or (iii) Article 5, Section C(3), the following provisions are required:

- (1) Permanent Construction B New Construction or Substantial Improvements of any permanent Structure shall be constructed 200 feet from a Floodway and 75 feet from the edge of a bayou, creek, Floodway, drainage ditch or similar waterway.
- (2) Residential Construction - New Construction and Substantial Improvements of any residential Structure shall have the Lowest Floor (including Basement), elevated to or above the Base Flood elevation. New Construction or Substantial Improvements within the areas of no special flood hazard in Zone X or any residential Structure shall have the Habitable Floor 24 inches above the grade. New Construction or Substantial Improvements of any residential Structure within an Area of Special Flood Hazard shall have the Habitable Floor 24 inches above the Base Flood

elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C(1)a, is satisfied.

(3) Nonresidential Construction - New Construction and Substantial Improvements of any commercial, industrial or other nonresidential Structure shall either have the Lowest Floor (including Basement) elevated 24 inches above the Base Flood level or, together with attendant utility and sanitary facilities, be designed so that below the Base Flood level the Structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to Mean Sea Level) to which such Structures are Flood Proofed shall be maintained by the Floodplain Administrator.

(4) Enclosures - New Construction and Substantial Improvements, with fully-enclosed areas below the Lowest Floor that are subject to Flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of Floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to Flooding shall be provided.
- b. The bottom of all openings shall be no higher than one (1) foot above grade.
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of Flood waters.

(5) Manufactured Homes

- a. Require that all Manufactured Homes to be placed within Zone A, shall be installed using methods and practices which minimize Flood damage. For the purpose of this requirement, Manufactured Homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- b. Require that Manufactured Homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM, on site (i) outside of a Manufactured Home Park or Subdivision; (ii) in a New Manufactured Home Park or Subdivision; (iii) in an expansion to an existing Manufactured Home Park or Subdivision; or (iv) in an existing Manufactured Home Park or Subdivision on which a Manufactured Home has incurred Substantial Damage as a result of a Flood, be elevated on a permanent

foundation such that the Lowest Floor of the Manufactured Home is erected to or above the Base Flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

- c. Require that Manufactured Homes be placed or substantially improved on sites in an existing Manufactured Home Park or Subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraphs (4) of this section be elevated so that either: (i) the Lowest Floor of the Manufactured Home is at or above the Base Flood elevation; or (ii) the Manufactured Home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(6) **Recreational Vehicles.** Require that Recreational Vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either: (i) be on the site for fewer than 180 consecutive days; (ii) be fully licensed and ready for highway use; or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for Manufactured Homes in paragraph (4) of this section. A Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(7) **Fill Material**

- a. A permit is required for any quantity of fill material being placed in the flood plain, except for fill for commercial farming or ranching use on a tract larger than 5 acres.
- b. The property owner must provide to the City, upon request by the City Flood Plain Administrator, written information showing the location from which the fill material came, whether or not it was from a governmental project, and who hauled/delivered the fill material.
- c. Fill material shall be placed no closer than ten (10) feet from the property line.
- d. If the fill is placed on a piece of property in which the natural flow of water is conveyed on the proposed fill site, then the property owner is required to mitigate for the altered flow. Natural flow could be by sheet flow, swale, ditch, slough, or other natural or man-made means of conveyance of water. Mitigation could include ditches, swales, detention/ retention ponds or other reasonable means of conveyance/detention/ retention.
- e. All fill material must be spread evenly within 6 months of the permit issuance date. If the fill material is not spread within this time period, the property owner may be required to remove the material.

SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS

- (1) All subdivision proposals including Manufactured Home Parks and Subdivisions shall be consistent with Article 1, Sections B, C, and D) of this Ordinance.
- (2) All proposals for the Development of subdivisions including Manufactured Home Parks and Subdivisions shall meet Development permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this Ordinance.
- (3) Base Flood elevation data shall be generated for subdivision proposals and other proposed Development including Manufactured Home Parks and Subdivisions which is greater than 50 lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this Ordinance.
- (4) All subdivision proposals including Manufactured Home Parks and Subdivisions shall have adequate drainage provided to reduce exposure to Flood hazards.
- (5) All subdivision proposals including Manufactured Home Parks and Subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate Flood damage.

SECTION D. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)

Located within the Areas of Special Flood Hazard established in Article 3, Section B, are areas designated as Areas of Shallow Flooding. These areas have special flood hazards associated with Base Flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of Flooding is unpredictable and where velocity flow may be evident. Such Flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (1) All New Construction and Substantial Improvements of residential Structures have the Lowest Floor (including Basement) elevated to or above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified);
- (2) All New Construction and Substantial Improvements of non-residential Structures:
 - (a) have the Lowest Floor (including Basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified); or
 - (b) together with attendant utility and sanitary facilities be designed so that below the base specified Flood depth in an AO Zone, or below the Base Flood elevation in an AH Zone, level the Structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C, are satisfied.

(4) Require within Zones AH or AO adequate drainage paths around Structures on slopes, to guide Flood waters around and away from proposed Structures.

SECTION E. FLOODWAYS

Floodways - located within Areas of Special Flood Hazard established in Article 3, Section B, are areas designated as Floodways. Since the Floodway is an extremely hazardous area due to the velocity of Flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply;

(1) Encroachments are prohibited, including fill, New Construction, Substantial Improvements and other Development within the adopted regulatory Floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in Flood levels within the community during the occurrence of the Base Flood discharge.

(2) If Article 5, Section E (1) above is satisfied, all New Construction and Substantial Improvements shall comply with all applicable Flood hazard reduction provisions of Article 5.

(3) Under the provisions of 44 C.F.R., Chapter 1, Section 65.12, of the NFIP regulations, a community may permit encroachments within the adopted regulatory Floodway that would result in an increase in Base Flood elevations, provided that the community first completes all of the provisions required by Section 65.12.

ARTICLE 6 ENACTMENT

SECTION A. REPEAL OF CERTAIN PRIOR ORDINANCES; SAVINGS CLAUSE

This ordinance supersedes, replaces, and repeals Ordinances Nos. 87-1, 2005-4, 2009-14, and 2016-06, the prior Flood Damage Prevention Ordinances of the City of Iowa Colony. However, each of those prior ordinances shall remain in force and effect as to any violations occurring before the effective date of its successor Flood Damage Prevention Ordinance, and neither the passage of this ordinance nor the repeal of said prior ordinances shall impair any prosecution, past, present, or future, for any violation occurring before the effective date of this ordinance.

Except as specifically provided herein, all other ordinances and portions of ordinances of the City of Iowa Colony shall remain in full force and effect.

SECTION B. CERTIFICATION

It is hereby found and declared by City Council and Mayor of Iowa Colony, Texas, that severe Flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that Flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this Ordinance become effective immediately.

SECTION C. SEVERABILITY

If any section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION D. EFFECTIVE DATE

This ordinance shall take effect as of the date of its passage and approval.

PASSED AND APPROVED on this 17th day of August, 2020.



MICHAEL BYRUM-BRATSEN,
Mayor, City of Iowa Colony, Texas

ATTEST:



KAYLEEN ROSSER,
City Secretary, City of Iowa Colony, Texas



ATTACHMENT TO IOWA COLONY
FLOOD DAMAGE PREVENTION ORDINANCE

LETTER OF JUNE 30, 2020, FROM FEMA TO THE CITY OF IOWA COLONY

WITH

FINAL SUMMARY OF MAP ACTIONS



Federal Emergency Management Agency
Washington, D.C. 20472

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**IN REPLY REFER TO:
115-I**

June 30, 2020

**The Honorable Michael Bryum-Bratsen
Mayor, City of Iowa Colony
12003 Iowa Colony Road
Iowa Colony, Texas 77583**

**Community: City of Iowa Colony,
Brazoria County,
Texas
Community No.: 481071
Map Panels Affected: See FIRM Index**

Dear Mayor Bryum-Bratsen:

On February 13, 2019, you were notified of proposed modified flood hazard determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Brazoria County, Texas and Incorporated Areas. The statutory 90-day appeal period that was initiated on March 3, 2019, when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of the proposed flood hazard determinations for your community in the *Alvin Sun*, the *Pearland Journal*, the *Brazoria County News* and *The Facts*, has elapsed. The flood hazard determinations for your community may include the addition of and/or modifications to Base Flood Elevations, base flood depths, Special Flood Hazard Areas (SFHAs), zone designations, and regulatory floodways. SFHAs are the areas subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

FEMA did not receive any appeals of the proposed flood hazard determinations. In addition, any comments received have been resolved. Therefore, the determination of the Agency as to the flood hazard determinations for your community is considered final. FEMA will publish a notice of final flood hazard determinations in the *Federal Register* as soon as possible. The modified flood hazard determinations and revised map panels for your community will be effective as of December 30, 2020 and will revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and, on the maps, and must be used for all new policies and renewals. Final printed copies of the report and maps will be mailed to you before the effective date.

No significant changes have been made to the flood hazard data since it was presented on the Preliminary and/or Revised Preliminary FIRM for your community; therefore, we encourage you to use these materials in the floodplain management regulation adoption process described below.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to December 30, 2020, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet

the standards of Paragraph 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);
2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMCs) (i.e., Letters of Map Amendment [LOMAs], Letters of Map Revision [LOMRs]) that will be superseded when the revised FIRM panels become effective. Information on LOMCs is presented in four categories: (1) LOMCs that have been included on the revised FIRM panels; (2) LOMCs that have not been shown on the revised FIRM panels because of scale limitations or because the LOMC that was issued had determined that the lots or structures involved were outside the SFHA shown on the FIRM; (3) LOMCs that have not been included on the revised FIRM panels because they are being superseded by new detailed flood hazard data; and (4) LOMCs that will be re-determined. The LOMCs in Category 2 of this form are revalidated through a single letter that reaffirms the validity of a previously issued LOMC. LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures have changed (Category 4) cannot be revalidated through this administrative process. However, we will review the data which were previously submitted as part of the original LOMA or LOMR request and issue a new determination for the subject properties after the FIRM effective date.

Our Regional Office staff would be happy to assist you with any difficulties you may encounter enacting the floodplain management ordinances. If you have questions regarding your application or any other questions, please feel free to contact one of the Regional contacts listed below for additional assistance.

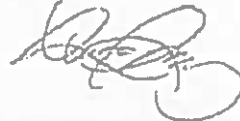
For questions concerning:	Name	Telephone Number	Email
Engineering/Mapping	Larry Voice	(940) 898-5419	larry.voice@fema.dhs.gov
Community Outreach	Cynthia Wirz	(940) 898-5164	cynthia.wirz@fema.dhs.gov
Insurance	Gilbert Giron, Jr.	(940) 383-7253	gilbert.giron@fema.dhs.gov
Compliance	Brian Bartley	(940) 383-7207	brian.bartley@fema.dhs.gov

If there are further questions regarding the FIS report and FIRM for the community, please contact the Texas Water Development Board. Yi Chan, the NFIP State Coordinator, is accessible by telephone at

512-936-6903, in writing at 1700 North Congress Avenue, Austin, Texas 78701, or by email at Yi.chan@twdb.texas.gov.

Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Frequently Asked Questions Regarding the Effects that Revised Flood Hazards have on Existing Structures*, *Use of Flood Insurance Study (FIS) Data as Available Data*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <https://www.fema.gov/letter-final-determination>. Paper copies of these documents may also be obtained by calling the FEMA Mapping and Insurance eXchange (FMIX) at 1-877-FEMA MAP (1-877-336-2627) or by email at FEMAMapSpecialist@riskmapcds.com.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosure:
Final SOMA

cc: Community Map Repository
Kayleen Rosser, Secretary, City of Iowa Colony
Yi Chan, NFIP State Coordinator, Texas Water Development Board (electronic copy)
Reddy Mudumalagurthy, Regional Director, RSC 6 (electronic copy)

FINAL SUMMARY OF MAP ACTIONS

Community: IOWA COLONY, CITY OF

Community No: 481071

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on December 30, 2020.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMR	10-06-1185P	08/26/2010	CHOCOLATE BAYOU	48039C0110H 48039C0120H 48039C0130H 48039C0140H	48039C0110K 48039C0120K 48039C0130K 48039C0140K
LOMR	15-06-1613P	09/28/2015	WEST FORK CHOCOLATE BAYOU	48039C0110H 48039C0120H	48039C0105K 48039C0110K 48039C0120K 48039C0140K

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

FINAL SUMMARY OF MAP ACTIONS

Community: IOWA COLONY, CITY OF

Community No: 481071

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	04-08-336A	12/31/2003	THE EMORATION LAND CO SUB, PART LOT 400; 2020 CR. 84	48039C0115H	48039C0115K
LOMR-F	15-06-2725A	07/29/2015	MERIDIANA SECTIONS 2, 3 & 5	48039C0110H 48039C0120H	48039C0110K 48039C0120K
LOMR-F	16-06-0804A	02/19/2016	TRACTS 1 AND 2 – COUNTY ROAD 56	48039C0110H 48039C0120H	48039C0110K 48039C0120K
LOMR-F	16-06-2163A	04/13/2016	MAGNOLIA BEND, SECTION 1, BLOCK 1, LOTS 3-23, BLOCK 2, LOT 1-15, BLOCK 3, LOTS 1-15	48039C0120H	48039C0120K
LOMR-F	16-06-3230A	08/05/2016	MERIDIANA, TRACTS 3 AND 4 – STATE HIGHWAY 288 AND COUNTY ROAD 56	48039C0110H	48039C0110K
LOMR-F	17-06-2059A	06/23/2017	LULLING BROOK, SECTION 1, LOT 7 & RESERVE D, MERIDIANA, SECTION 3–STATE HIGHWAY 288 & CR 56	48039C0120H	48039C0120K
LOMR-F	18-06-0253A	12/29/2017	H.T. & B.R.R. CO. SURVEY SECTION 52, ABSTRACT 513 – STATE HIGHWAY 288 & COUNTY ROAD 56	48039C0110H 48039C0120H	48039C0120K
LOMR-F	18-06-1076X	01/17/2018	MERIDIANA, SECTION 68, 69, 70, & 75 – STATE HIGHWAY 288 & COUNTY ROAD 56	48039C0120H	48039C0120K
LOMR-F	18-06-2689A	06/29/2018	HT & B RR CO SURVEY, SECTION 56, A-515 (MERIDIANA, SECTION 80) – STATE HIGHWAY 288 & COUNTY ROAD 56	48039C0110H	48039C0110K
LOMR-F	19-06-2618A	07/01/2019	H.T. & B RAILROAD CO. SURVEY, SECTION 53, ABSTRACT 287 – STATE HIGHWAY 288 AND COUNTY ROAD 56	48039C0120H	48039C0120K
LOMR-F	19-06-3361A	09/06/2019	MERIDIANA SECTIONS 76 & 81	48039C0120H	48039C0120K
LOMR-F	20-06-0603A	01/07/2020	H. T. & B. RAILROAD COMPANY SURVEY, SECTION 53, ABSTRACT 287 (MERIDIANA SECTION 60)	48039C0110H 48039C0120H	48039C0110K 48039C0120K
LOMR-F	20-06-1431X	02/18/2020	MERIDIAN SECTION 80 A, BLOCK 5, LOTS 7-8 & A PORTION OF HT & B RR CO. SURVEY SECTION 56, A-515	48039C0110H	48039C0110K

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: IOWA COLONY, CITY OF

Community No: 481071

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR-F	16-06-0089A	11/23/2015	STATE HIGHWAY 288 AND COUNTY ROAD 56	6
LOMR-F	18-06-0251A	12/05/2017	MERIDIANA, SECTION 66, 69, 70, & 75 – STATE HIGHWAY 288 & COUNTY ROAD 56	6
LOMR-F	19-06-3987A	10/24/2019	MERIDIAN SECTION 80 A, BLOCK 5, LOTS 7-8 & A PORTION OF HT & B RR CO. SURVEY SECTION 56, A-515	6

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		